

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE: Barbara Sanders

Debtor(s)

**Partners for Payment Relief DE IV, LLC, its
successors and/or assigns**

Movant

vs.

Barbara Sanders

Respondent(s)

BK NO. 20-10500 TPA

Chapter 13

Related to Document No. 20

Hearing Date: 9/29/2020

**OBJECTION OF Partners for Payment Relief DE IV, LLC , ITS SUCCESSORS AND/OR
ASSIGNS
TO CONFIRMATION OF CHAPTER 13 PLAN**

Partners for Payment Relief DE IV, LLC, objects to confirmation of Debtor's Chapter 13 Plan and asserts in support of its Objection as follows:

1. Movant's claim is secured by a mortgage on Debtor's property at 2918 Gloth Street Erie, PA 16504.
2. The claims bar date is October 1, 2020. Movant intends to file a claim on or before the bar date with the total debt in the amount of \$49,134.16 and an annual interest rate of 13.98%.
3. The Debtor's Plan request avoidance of this secured second mortgage pursuant to 11 U.S.C. § 522(f).
4. This loan is secured by real property which is the principal residence of the Debtor and is protected from modification and avoidance pursuant to 11 U.S.C. § 1322(b)(2), except that the interest rate may be modified per § 1322(c)(2) since this loan matured.
5. Debtor's Plan understates the amount of the Movant's claim by \$49,134.16, and does not provide sufficient funding to pay said claim including present value interest.
6. Accordingly, Debtor's Plan is not feasible, as it does not fully compensate the Movant.
7. In addition, the Debtor's Plan fails to comply with 11 U.S.C. §§ 1322 and 1325.

WHEREFORE, the Movant, Partners for Payment Relief DE IV, LLC, prays that the Court deny confirmation of the Debtor's Plan.

Respectfully submitted,

Date: September 17, 2020

/s/ Brian Nicholas, Esquire

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